

REMARKS

The Office Action objects to the specification and claims 3 and 7. The Office Action rejects claims 1, 2, 4-6 and 8-20.

I. ALLOWABLE SUBJECT MATTER

Applicant gratefully appreciates and acknowledges the indication by the Examiner that claims 3 and 7 contain patent subject matter. It is believed that at least these claims are in condition for allowance in view of the remarks herein.

II. OBJECTION TO THE SPECIFICATION

The specification is objected to under 37 C.F.R. § 1.75(d)(1) and M.P.E.P. § 608.01(o) for failing to provide proper antecedent basis for the claimed subject matter. The Office Action suggests amending the claims.

Applicant respectfully submits that the objection raised in the Office Action is probably improper. In particular, Applicant respectfully draws the attention of the Examiner to the fact that the Office Action suggests remedying an objection with respect to the specification by amending the claims. Furthermore, Applicant has carefully reviewed the above-identified sections of the C.F.R. and the M.P.E.P. and find them inapplicable with respect to proper antecedent basis. Applicant respectfully submits that the issue with respect to "antecedent basis" is whether "the claims find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description". See, e.g., 37 C.F.R. § 1.75(d)(1). By pointing to an alleged example of support for one or more of the elements as set forth in the claims, the Office Action is actually providing the "clear support or antecedent basis in the description" in its allegation. See, e.g., 37 C.F.R. § 1.75(d)(1).

It is therefore respectfully requested that the objection be withdrawn with respect to the specification.

**III. REJECTION UNDER 35 U.S.C. § 102(e)
WITH RESPECT TO CLAIMS 1, 2, 4-6 AND 8-19**

Claims 1, 2, 4-6 and 8-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,570,857 B1 ("the Haartsen patent"). Applicant respectfully traverses the rejection as set forth below.

Claims 1, 2, 4-6 and 17-19

To maintain an anticipation rejection, each and every element as set forth in the claims must be described in the Haartsen patent. Applicant respectfully submits that the Haartsen patent does not describe each and every element as set forth in the claims.

For example, claim 1 recites "assigning a member address of a Bluetooth protocol to a first slave unit, said member address corresponding to a selected time slot of a plurality of time slots defined by a system clock, said time slots repeating in cycles; assigning to said first slave unit a first extended address associated with an occurrence of said selected time slot within at least a selected one of said cycles; and transmitting information from said first slave unit to said master unit during said occurrence of said selected time slot".

The Office Action states that the member address of a Bluetooth protocol as set forth in claim 1 is a temporary MAC address and that selected time slot is a selected TDMA time slot. However, the Haartsen patent does not describe that the temporary MAC address "[corresponds] to a selected time slot of a plurality of time slots [that] repeat in cycles". In the Haartsen patent, the temporary MAC address is only used "[t]o distinguish between the different participants on the piconet". The Haartsen patent at col. 2, lines 21-22. However, the Haartsen patent does not describe the correspondence between, as alleged, the temporary MAC address and a selected TDMA time slot of time slots that repeat in cycles. In the Haartsen patent as alleged, how does the temporary MAC address correspond to the selected TDMA time slot?

Furthermore, the Office Action states that the "first extended address" is the unique identity 301 of the Haartsen patent. However, for the unique identity 301 to be the first extended address, the unique identity 301 has to be "associated with an occurrence of said selected time slot within at least a selected one of said cycles". As alleged and to be logically consistent, the unique identity 301 must be associated with an occurrence of a selected TDMA time slot of TDMA time slots that repeat in cycles and the temporary MAC address must correspond to the

selected TDMA time slot. Applicant respectfully submits that the Haartsen patent does not describe such an interrelationship between the unique identity 301, the temporary MAC address, the selected TDMA time slot and the occurrence of the selected TDMA time slot within, for example, a selected on of the cycles. In fact, the Haartsen patent states that the unique identity 301, which is derived from the 48-bit IEEE 802 address space, "is *only* used at the time of call set up for the purpose of paging a unit". The Haartsen patent at col. 6, lines 59-62 (italics added). Accordingly, Applicant respectfully challenges the assertion that the unique identify 301, as alleged, is associated with any TDMA time slot and, in particular, an occurrence of the selected TDMA time slot within, for example, a selected on of the cycles.

In addition, the Office Action states that the slave unit response in slot 503 of FIG. 5 of the Haartsen patent represents "transmitting ... during said occurrence of said selected time slot". However, to be consistent with all of elements of claim 1, as alleged, slot 503 must represent an occurrence of a selected time slot of a plurality of time slots that repeat in cycles in which the selected time slot corresponds to the temporary MAC address and the occurrence is associated with the unique identity 301. Applicants respectfully submit that the Haartsen patent does not describe the interrelationship between the slot 503, the temporary MAC address and the unique identity 301 as alleged with respect to claim 1.

For at least the above reasons, Applicant respectfully submits that claim 1 is not anticipated by the Haartsen patent. It is therefore respectfully requested that the anticipation rejection under 35 U.S.C. § 102(e) be withdrawn with respect to claim 1 and its dependent claims (i.e., claims 2, 4-6, 8-10 and 17-19).

Furthermore, with respect to some of the dependent claims of claim 1, in support of an anticipation rejection, the Office Action inconsistently states that sometimes the time slots are TDMA time slots and sometimes the time slots are TDMA half-slots. Applicant respectfully submits that the dependent claims depend from the independent claim (i.e., claim 1) and must be logically consistent. The time slots are either, as alleged, all TDMA time half-slots or all TDMA time slots and must consistently meet all of the interrelationships in the independent claim and the dependent claim. For example, the Office Action states that the selected time slot in claim 1 is a TDMA time slot and that the temporary MAC address corresponds to the selected TDMA time slot and then, in claim 2, for example, states that another occurrence of the selected time slot is now a TDMA time half-slot. Applicant respectfully also submit that, as alleged, the

temporary MAC address does not correspond to a particular TDMA time half-slot as set forth in the Haartsen patent.

Claims 11-13

To maintain an anticipation rejection, each and every element as set forth in the claims must be described in the Haartsen patent. Applicant respectfully submits that the Haartsen patent does not describe each and every element as set forth in the claims.

For example, claim 11 recites a "master unit including: means for assigning a member address of a Bluetooth protocol to said first slave unit, said member address corresponding to a selected one of said sequence of time slots; means for assigning to said first slave unit a first extended address associated with an occurrence of said selected one of said sequence of time slots within one or more of said cycles, said first slave unit being disposed to transmit information during said occurrence of said selected one of said sequence of time slots."

Applicant respectfully submits that the Haartsen patent does not describe a master unit including the above-identified assigning means. In addition, Applicant respectfully makes the same or similar arguments, if appropriate, with respect to claim 11 as were made with respect to claim 1.

For at least the above reasons, Applicant respectfully submits that claim 11 is not anticipated by the Haartsen patent. It is therefore respectfully requested that the anticipation rejection under 35 U.S.C. § 102(e) be withdrawn with respect to claim 11 and its dependent claims (i.e., claims 12 and 13).

Dependent Claim 12

Applicant respectfully submits that the Haartsen patent does not describe "a second extended address associated with a different occurrence of said selected one of said sequence of time slots within one or more of said cycles". As mentioned above, how can different occurrences of said selected one of said sequence of time slots be, as alleged, a TDMA time slot in one occurrence and a TDMA time half-slot in another occurrence. Such an interpretation is inconsistent. Furthermore, if the Examiner is now asserting that the time slots are always half-slots, then how can the Examiner reconcile such an interpretation with the assertions made with respect to claim 11?

Claims 14-16

To maintain an anticipation rejection, each and every element as set forth in the claims must be described in the Haartsen patent. Applicant respectfully submits that the Haartsen patent does not describe each and every element as set forth in the claims.

For example, claim 14 recites "means for assigning a member address of a Bluetooth protocol to said first slave unit, said member address corresponding to a selected one of said sequence of time slots; and means for assigning to said first slave unit a first extended address associated with an occurrence of said selected one of said sequence of time slots within one or more of said cycles, said first slave unit being disposed to transmit information during said occurrence of said selected one of said sequence of time slots".

Applicant respectfully submits that the Haartsen patent does not describe at least the above-identified assigning means. In addition, Applicant respectfully makes the same or similar arguments, if appropriate, with respect to claim 14 as were made with respect to claims 1 and 11.

For at least the above reasons, Applicant respectfully submits that claim 14 is not anticipated by the Haartsen patent. It is therefore respectfully requested that the anticipation rejection under 35 U.S.C. § 102(e) be withdrawn with respect to claim 14 and its dependent claims (i.e., claims 15 and 16).

IV. REJECTION UNDER 35 U.S.C. § 103(a) WITH RESPECT TO CLAIM 20

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being obvious over the Haartsen patent in view of United States Patent No. 6,751,200 B1 ("the Larsson patent"). Applicant respectfully traverses the rejection as set forth below.

Applicant respectfully submits that the teaching deficiencies of the Haartsen patent are not made up by the teachings of the Larsson patent. Accordingly, the obviousness rejection cannot be maintained.

It is therefore respectfully requested that the obviousness rejection be withdrawn with respect to claim 20.

V. CONCLUSION

In view of at least the foregoing, it is respectfully submitted that the pending claims 1-20 are in condition for allowance. Should anything remain in order to place the present application

• FROM McANDREWS, HELD, & MALLOY

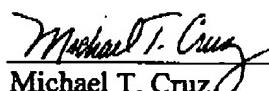
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in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

Please charge any required fees not paid herewith or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Dated: September 14, 2005

Respectfully submitted,



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